

REMARKS

In response to the Office Action of November 30, 2006, Applicants have amended the claims, which when considered with the following remarks, is deemed to place the present application in condition for allowance. Favorable consideration and allowance of all pending claims is respectfully requested. The amendments to the claims have been made in the interest of expediting prosecution of this case. Applicant reserves the right to prosecute the same or similar subject matter in this or another application.

By this Amendment, Claim 1 has been amended, Claims 14-26 and 28, which were withdrawn from consideration due to a restriction requirement, have been canceled herein without prejudice, and new Claim 33 has been added. Applicants respectfully reserve the right to file one or more divisional applications to non-elected Claims 14-26 and 28. Claim 1 has been amended to further recite that the step of distilling comprises distilling the mixture polyurethane prepolymer reaction product and unreacted diphenylmethane diisocyanate in a second inert solvent having a boiling point about 1°C to about 100°C below the boiling point of the diphenylmethane diisocyanate monomer at a pressure of 10 torr and is believed to obviate the Examiner's rejection discussed hereinbelow. Applicants respectfully submit that no new matter has been added to this application nor have any new issues been raised by these amendments. Moreover, it is believed that the amendment to the claims as presented herein places the application in condition for allowance or in better form for consideration on appeal, if one becomes necessary. Accordingly, entry and consideration of the present Amendment is deemed appropriate as it places the application in condition for allowance.

The Examiner has rejected Claims 1-4, 7-12, 29 and 32 under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is the Examiner's belief that the recitation "all solvent(s) employed in step (D)" in the last three lines of Claim 1 is confusing because it is unclear whether the "employed solvents" are limited to or refer to the solvents set forth within step (A). In order to make it perfectly clear, Claim 1 has been amended to recite "(A) dissolving diphenylmethane diisocyanate monomer in one or more first inert solvents ... (D) distilling the mixture comprising polyurethane prepolymer reaction product and unreacted diphenylmethane diisocyanate in a second inert solvent having a boiling point about 1°C to about 100°C below the boiling point of the diphenylmethane diisocyanate monomer at a pressure of 10 torr to strip the unreacted diphenylmethane diisocyanate to a level less than 0.3% by weight based on the combined weight of prepolymer, residual monomer, and residual inert solvent, wherein the inert solvent or solvents comprise about 5% to about 85% by weight of the total weight of the combination of the mixture for forming the prepolymer reaction product plus solvents." As such, amended Claim 1 is believed to be sufficiently clear and definite as to comply with the requirements for definiteness under the second paragraph of 35 U.S.C. §112. Accordingly, withdrawal of the rejection is respectfully requested.

Appln. No. 09/951,018
Amdt. dated December 22, 2006
Reply to Office Action dated November 30, 2006

For the foregoing reasons, amended Claims 1-4, 7-12, 29 and 32 and new Claim 33 as presented herein are believed to be in condition for immediate allowance. Such early and favorable action is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael E. Carmen", written over the typed name.

Michael E. Carmen
Reg. No. 43,533
Attorney for Applicants

M. CARMEN & ASSOCIATES, PLLC
170 Old Country Road – Suite 400
Mineola, NY 11501
Phone: (516) 992-1848
Facsimile: (516) 739-0981
MEC:bg